



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

December 8, 2010

Mayor Matti Herrera Bower
Vice-Mayor Michael Góngora
Commissioner Jorge Exposito
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business and Commission
R10 City Attorney Reports

Reports and Informational Items

Presentations and Awards

- PA1 Recognition Of The Parks And Recreation Department's Teen Club Members And Staff For Receiving The National Dorothy Mullen Arts And Humanities Award (Class III) Presented By The National Recreation And Park Association For Their Outstanding Drama And Theater Programs And Stage Performances. (Page 3)
(Parks & Recreation)
- PA2 Certificates Of Appreciation To Be Presented To City Staff Involved In The City's Application To The 2010 LIVCOM Awards.
(Requested by Mayor Matti Herrera Bower & City Manager)
- PA3 Certificates Of Recognition To Be Presented To Various Organizations That Participated In Thanksgiving Food Distributions To Needy Miami Beach Residents.
(Requested by Mayor Matti Herrera Bower)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Purchase Manifold Assemblies, Water Meters And Parts From Sensus Metering Systems, Inc., In The Estimated Annual Amount Of \$125,627.49. (Page 7)
(Public Works)
- C2B Request For Approval To Purchase American Darling Fire Hydrants From American Flow Control, The Manufacturer Of The American Darling Fire Hydrants, In The Estimated Annual Amount Of \$40,000. (Page 11)
(Public Works)

C4 - Commission Committee Assignments

- C4A Referral To The Land Use And Development Committee Of A Proposed Ordinance Requiring Mandatory Recycling For Multi-Family Residences And Commercial Establishments. (Page 17)
(Requested by Commissioner Jonah Wolfson)

C4 - Commission Committee Assignments (Continued)

- C4B Referral To The Finance And Citywide Projects Committee - Discussion On Adopting The Master Plan For The North Shore Bandshell Park Project (Project). (Page 19)
(Capital Improvement Projects)
- C4C Referral To The Sustainability Committee – Discuss ECOBATT, A Self-Sustaining Container Designed To Collect Worn, Damaged Or Outdated Batteries And Electronic Devices. (Page 23)
(Requested By Vice-Mayor Michael Góngora)
- C4D Referral To The Neighborhoods/Community Affairs Committee – Discussion Regarding A Proposal To Honor The Extensive Community Legacy Of Stanley Levine With A Memorial Bench On Lincoln Road. (Page 25)
(Requested by Mayor Matti Herrera Bower)

C6 - Commission Committee Reports

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting On October 18, 2010: **1)** Attendance. **2)** Old Business: A) CIP Project Status Report; B) Construction Update: Normandy Shores Neighborhood Improvement Project; C) Status Report: Venetian Island Neighborhood Improvement Project; D) Status Report: Sunset Islands I And II; E) Status Report: Sunset Islands III And IV; F) Status Report: Royal Palm Avenue And 44th Street Flooding Mitigation; G) Status Report: Palm And Hibiscus Island Undergrounding; H) Status Report: Flamingo/West Avenue Neighborhood ROW. **3)** Requested Reports. **4)** Review And Acceptance Of Minutes. **5)** Commission Item. **6)** Adjournment. (Page 29)
- C6B Report Of The Finance And Citywide Projects Committee Meeting On November 3, 2010: **1)** Discussion Regarding An Amendment To A Resolution Regarding Assignment Of A Police Officer To The Police Athletic League (PAL). **2)** Discussion Regarding Parity For Future Sidewalk Café Fee Increases. **3)** Discussion Regarding A Proposed Lease Agreement With Syanna, LLC, Involving Approximately 2,216 Square Feet Of City-Owned Property Located At 22 Washington Avenue, Miami Beach, Florida, For The Purpose Of Accommodating An Outdoor Café Associated With A Restaurant Operation Located At 816 Commerce Street, Which Is Directly Adjacent To And West Of The Subject City Property. **4)** Discussion Regarding Request From Mystery Parks Arts Company, Inc. For An Amendment To Its Lease Agreement. **5)** Discussion Regarding \$94,000 – Sleepless Night. **6)** Discussion Regarding The Miami Beach Visitors And Convention Authority (VCA) FY 2010/11 Budget. **7)** Amend Ameresco Agreement To Include Lighting Improvements To Three Additional Parking Garages. (Page 33)
- C6C Report Of The Land Use And Development Committee Meeting On November 22, 2010: **1)** Municipal Ordinance Regulating Commercial Loading Zones. **2)** Discussion Regarding Temporary Storefront Signs. **3)** Discussion On A Stricter Panhandling Ordinance. **4)** Discussion Regarding The Proposed Flamingo Park Skate Park. (Page 37)

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit A Grant Application To The Federal Emergency Management Agency For Emergency Food And Shelter Funds In An Amount Not To Exceed \$50,000 For Emergency Assistance; Appropriating The Above Funds, And Matching Funds As Necessary, If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To This Application. (Page 45)
(Budget & Performance Improvement)
- C7B A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Pursuant To Request For Proposals (RFP) No. 39-09/10, For The Acquisition Of An Automated Vehicle Locator (AVL) System; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Proposer, Radio Satellite Integrators; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Second-Ranked Proposer, Geodecisions; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration In The Estimated Annual Amount Of \$52,645 For The Purchase And Installation Of 110 Vehicle Devices, And Authorizing The Purchase Of Additional Vehicle Devices On An “As Needed” Basis Subject To Funding Appropriation; Provided Further, That In The Event The City Administration Cannot Negotiate An Agreement With Radio Satellite Integrators, Inc Or Geodecisions, Then Authorizing The City Manager To Reject All Proposals Pursuant To This RFP. (Page 51)
(Building/Parking)
- C7C A Resolution Setting Of A Public Hearing For The Granting Of Certificates Of Appropriateness For The Demolition Of The Robert C. Haas Handball Courts And For The Demolition Of A Facility Known As “Friendship Corner” Pursuant To The Miami Beach City Code - Land Development Regulation Section 118-564 (F) (4), Both Facilities Are Located At Flamingo Park, 1200 Meridian Avenue. (Page 65)
(Capital Improvement Projects)
- C7D A Resolution Approving And Authorizing The Re-Allocation Of \$114,205 In Savings From The Seawall – Sunset Lake Park Project And Further Appropriating \$49,582 From Fund 384, 2003 G.O. Bonds – Neighborhood Improvements; For Additional Work Scope And Associated Fees For The Seawall – Flamingo Drive Rehabilitation Project. (Page 73)
(Capital Improvement Projects)
- C7E A Resolution Accepting The Recommendation Of The City Manager Relative To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 36-09/10, For Third Party Administrator Claim Audit And Performance Evaluation Services; Authorizing The Administration To Enter Into Negotiations With Claim Technologies, Incorporated, And Should The Administration Not Be Able To Negotiate An Agreement With Claim Technologies, Authorizing The Administration To Negotiate With Deloitte Consulting, LLP; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration. (Page 77)
(Human Resources)

C7 - Resolutions (Continued)

- C7F A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Consent To Assignment And First Amendment To Job Order Contract (JOC) No. 23-08/09, Between The City And Unitech Builders Corp., Which Provides For Unitech To Assign The JOC Contract To David Mancini And Sons, Inc. (Page 85)
(Procurement)
- C7G A Resolution Revising The "Special Events Requirements And Guidelines," By Amending The Sections Entitled "Weddings And Ceremonies," "Minimum Requirements," Internal Review Procedure," "Criteria For Grant Of Special Event Permit," "External Review Procedure," "Adherence To Regulations And Other Policies," "Beach Vehicle Access Policy," "Event Signage," "Product Promotion/Temporary Sampling", And "Enforcement And Penalties;" And Further Amending The Special Event Fee Schedule, And Hereby Permitting And Restricting Further Uses On Public Property. (Page 97)
(Tourism & Cultural Development)
- C7H A Resolution Initiating Conflict Resolution Procedures Provided By Section 164.1052 Of The Florida Statutes Prior To Initiating Litigation Against The City Pension Fund For Firefighters And Police Officers In The City Of Miami Beach ("Pension Fund") With Regard To The Pension Fund's Position Not To Implement The Terms Of City Of Miami Beach Ordinance No 2010-3705 As They Relate To Pension Fund Members. (Page 131)
(City Attorney's Office)

End of Consent Agenda